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03/05/02  
Jc931 U.S. PTO

Attorney Docket No. P6340 (301101-000009)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Jc997 U.S. PTO  
10/091046  
03/05/02

Inventors: Peng Chen et al.

Title: AUTOMATICALLY ALLOCATING  
AND REBALANCING  
DISCRETIONARY PORTFOLIOS

Filed: Herewith

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No. EL843428076US

Date of Deposit March 5, 2002

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Stephanie Warner-Wallace  
Stephanie Warner-Wallace

BOX PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, DC 20231

UTILITY PATENT APPLICATION TRANSMITTAL

*New nonprovisional application under 37 CFR 1.53(b)*

1. ☒ Fee Transmittal Form *(Submit an original, and a duplicate for fee processing)*
2. ☒ Specification [Total Pages 50 ]
3. ☒ Drawing(s) (35 USC 113) [Total Pages 10 ]
4. ☒ Oath or Declaration [Total Pages 3 ]
  - a. ☒ Newly executed
  - b. ☐ Copy from a prior application (37 CFR 1.63(d))  
*(for continuation/divisional with Box 17 completed)*  
[Note Box 5 below]
    - i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application (see 37 CFR 1.63(d)(2) and 1.33(b)).
5. ☐ Incorporation By Reference *(useable if Box 4b is checked)*. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ Microfiche Computer Program *(Appendix)*
7. ☐ Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all necessary)*
  - a. ☐ Computer Readable Copy

- b. ☐ Paper Copy (identical to computer copy)  
c. ☐ Statement verifying identity of above copies

### DOCUMENTS ACCOMPANYING APPLICATION PARTS

8. ☒ Assignment Papers ✓  
9. ☒ 37 CFR 3.73(b) Statement ☒ Power of Attorney  
(when there is an assignee)  
10. ☐ English Translation Document (if applicable)  
11. ☐ Information Disclosure ☐ Copy of IDS  
Statement (IDS)/PTO-1449 Citation  
12. ☐ Preliminary Amendment  
13. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)  
14. ☒ Request Not to Publish and Certification Under 35 U.S.C. 122(b)(2)(B)(i)  
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)  
16. ☒ Other: Patent Application Cover Page  

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17. If a CONTINUING APPLICATION, check the appropriate box  
and supply the requisite information.  
☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) ...of prior application No.: /, filed  
(Attorney Docket No. ).

18. Correspondence Address

NAME: Jefferson Perkins

ADDRESS: Piper Marbury Rudnick & Wolfe  
P.O. Box 64807

CITY: Chicago

STATE: Illinois

ZIP CODE: 60440-0807

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19. The filing fee has been calculated as shown below

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c))	63 - 20 =	43	x \$18=	\$774.00
	INDEPENDENT CLAIMS (37 CFR 1.16(b))	9 - 3 =	6	x \$84=	\$504.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$280=	0
				BASIC FEE (37 CFR 1.16(a))	\$740.00
	Total of above Calculations =				\$2,018.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28).				\$1,009.00
	TOTAL =				\$1,009.00

20. ☒ Small entity status:

a. ☒ Applicant asserts small entity status under 37 CFR 1.27.

21. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 18-2284:

a. ☒ Any filing fees required under 37 CFR 1.16 for the application or any amendment thereto.

b. ☒ Fees required under 37 CFR 1.17

22. ☒ A check payable to the Director of the United States Patent and Trademark Office in the amount of \$1,009.00 is enclosed.

23. Other: Check in the amount of \$40.00 (assignment recordation)  
 .....  
 .....

24. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT (REQUIRED)

NAME:

Jefferson Perkins

SIGNATURE:

REGISTRATION

DATE

Jefferson Perkins  
31,407  
5 March 2002



28465

PATENT TRADEMARK OFFICE

Attorney Docket No.: 301101-000009 (P6340)

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re the application of: Peng CHEN et al.

Serial No.: Not Yet Assigned

Filed:

For: AUTOMATICALLY ALLOCATING  
AND REBALANCING DISCRETIONARY  
PORTFOLIOS

Assistant Commissioner for Patents  
Washington, D.C. 20231

I hereby certify that this correspondence is  
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Washington, D.C. 20231, on

March 5, 2002

Date

Stephanie Warner Wallace

Name

March 5, 2002

Date of Signature

**CERTIFICATE UNDER 37 C.F.R. §3.73(b)**  
**AND POWER OF ATTORNEY**

I, Michael C. Henkel, am President of Ibbotson Associates, Inc., an Illinois Corporation ("Assignee"). The Assignee is the owner of the entire right, title and interest in the above-identified patent application ("the Patent Application") by virtue of an assignment from the inventors of the Patent Application. As evidence of this assignment, the Assignee points to the enclosed copy of the Assignment from the inventors to Ibbotson Associates, Inc. that will be submitted to the U.S. Patent and Trademark Office on the same day that this document is filed.

The undersigned is empowered to sign this document on behalf of the Assignee and has full power to grant and revoke powers of attorney.

Assignee hereby appoints as its attorneys to prosecute this Patent Application and to transact all business in the U.S. Patent and Trademark Office connected with the Patent Application and with any resulting patent: Joel H. Bootzin, Reg. No. 42,343; Mark I. Feldman, Reg. No. 26,880; R. Blake Johnston, Reg. No. 41,097; Michael L. Kenaga, Reg. No. 34,639; Aimee E. McVady, Reg. No. 48,720; Jefferson Perkins, Reg. No. 31,407; Micah R. Onixt, Reg. No. 47,834; James P. Ryther, Reg. No. 20,424; Thomas W. Ryan, Reg. No. 43,072; Steven B. Kelber, Reg. No. 30,073; James M. Heintz, Reg. No. 41,828; Laura D. Nammo, Reg. No. 42,024; Jerold I. Schneider, Reg. No. 24,765; Paul C. Kimball, Reg. No. 34,641;

Wilburn L. Chesser, Reg. No. 41,668; Lisa K. Norton, Reg. No. 44,977; Christopher W. Raimund, Reg. No. 47,258 and Amy L. Miller, Reg. No. 43,804, all of said attorneys being of the firm of Piper Rudnick, with full power of substitution and revocation, to prosecute this application and represent the undersigned before all competent International Authorities.

Please direct all correspondence to:

Piper Rudnick  
P.O. Box 64807  
Chicago, Illinois 60440-0807

Please direct all telephone calls to:

Jefferson Perkins  
(312) 368-7073

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature:



Title:

President

Date:

3-4-02

Attorney Docket No.: P6340 (301101-000009)

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

First Named Inventor: Peng Chen

Filed: Herewith

Title: AUTOMATICALLY ALLOCATING AND  
REBALANCING DISCRETIONARY  
PORTFOLIOS


Assistant Commissioner for Patents  
Washington, D.C. 20231

**REQUEST NOT TO PUBLISH AND**

**CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)**

Dear Sir:

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

  
\_\_\_\_\_  
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Registration No. 31,407

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March 5, 2002